



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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DRAFT MINUTES
STATE CONSERVATION COMMISSION

Thursday, June 26, 2008

**Department of Conservation and Natural Resources at the
Richard H. Bryan Building, 901 S. Stewart Street,
2nd floor Hearing Room, Carson City, NV 89701**

The Nevada State Conservation Commission held a public meeting on Thursday, June 26, 2008 at 10:00am in Carson City, NV at the Department of Conservation and Natural Resources at the Richard H. Bryan Building, 901 S. Stewart Street, 2nd floor Hearing Room, Carson City, NV 89701.

The State Conservation Commission considered and acted on the following items on June 26, 2008.

Board Members Present: Keith Whipple – Lincoln County CD, Commission Chairman; Chris Freeman – Nevada Tahoe CD; Vance Vesco – Big Meadow CD; Judy Currier – CD of Southern Nevada; Donna Lamm, Southern Nye County CD; Eric Rieman – Carson Valley CD; Dr. Rangesan Narayanan – Associate Dean UNR Department of Agriculture; Edward K. Foster, Regional Manager/Plant Industry - NV Department of Agriculture;.

Board Members Absent: Joe Sicking – Paradise Sonoma CD, Commission Vice-Chairman

Others Present: Pamela B. Wilcox, Executive Secretary, State Conservation Commission and Acting Administrator of the Division of Conservation Districts; Jim Lawrence – Deputy Administrator, Division of State Lands; Kelly McGowan – NV Division of Conservation Districts; Sandi Gotta – NV Division of Conservation Districts; Colleen Hemingway – Deputy Attorney General; Ron Davidson – Acting State Conservationist, NRCS; Jody Vesco - guest; Scott Marsh – Noxious Weed Regulatory Specialist, Nevada Department of Agriculture; Maureen Groach – Administrative Services Officer III, Nevada Department of Agriculture.

I. CALL TO ORDER

A. Chairman Keith Whipple called the meeting to order at 10:07am. Introductions were made of those attending the meeting.

II. REVIEW AND APPROVAL OF AGENDA - *ACTION*

Judy requested that item "C" under VII-Old Business be removed from the agenda. Judy was the commissioner who made the initial request to have the item placed on the agenda.

Ed Foster asked the Commission to consider having some flexibility when considering item VIII.A. to accommodate Scott Marsh's busy work schedule.

III. REVIEW, AMENDMENT AND APPROVAL OF MINUTES - *ACTION*

A. *Approval of Minutes from April 23, 2008*

The minutes were reviewed by the commission. Chris moved to accept the minutes as submitted by staff and Donna seconded the motion and the motion carried.

IV. PUBLIC COMMENTS

A. *Three minute time limit per person, limited to items not on the agenda.*

There were no public comments.

V. REPORTS TO THE COMMISSION

A. *Status of the Division of Conservation Districts*

1. *Fiscal Report – Pamela B. Wilcox and Jim Lawrence -*

a) Ms. Wilcox reviewed the current status of the FY08 Budget report for the Division of Conservation Districts and the Conservation Commission. She explained that the agency is nearing the end of the fiscal year, and it is anticipated that almost all of the funds will be expended by the end of the year.

b) With Ms. Wilcox retiring on June 27, 2008, she defrayed the discussion to incoming Acting Administrator, Jim Lawrence. Jim discussed the budget for FY09 and the alternatives that we have been asked to prepare and submit to the Director's office displaying 2%, 3%, and 4% reductions. Each of the three scenarios was satisfied by reducing the Administrative Assistant II position to 51% of full time.

c) Jim explained that we are currently in the process of building the budget for fiscal years 2010 and 2011. We've been asked to include reductions that amount to 14% of our overall budget. The 14% is a guideline and may not represent what our actual budget will be over the next biennium. No further reductions are anticipated to the AB629 grant program. However, even after significant reductions or eliminations in out of state travel, in-state travel, operating, training and personnel salaries, we still cannot meet the 14% without a small reduction in the Basic Operating Grants to Districts program. This is all very preliminary and could change by the time the Legislature takes action on our budget.

2. *General – Pamela B. Wilcox* - Pam complimented the Commission for the action they took a year ago, expecting the districts to meet all of the requirements of good standing in order to receive state funding. Pam also expressed her appreciation for all the natural resource conservation efforts made by conservation districts statewide. She thanked the commission for all of their time and dedication while serving on the commission. She said, "It has been one of her true life passions to work with the commission and the districts".

3. *Conservation Districts Meeting Logs – Kelly McGowan & Sandi Gotta* - Sandi reviewed the logs of CD meeting agendas and minutes received in the office. The log is posted on the website and is updated at least monthly. Many of the districts review these logs and verify the postings. We received confirmation the morning of the meeting that Owyhee had a quorum for their meeting June 25, 2008. They were the remaining district that we did not have proof of at least three meetings. We were told that their minutes should arrive in the next few days.

VI. REPORTS TO THE COMMISSION

A. Department of Conservation and Natural Resources – Allen Biaggi –

1. Expressed his pleasure in working with Pam Wilcox and knows that Jim Lawrence will serve the Conservation Commission and the conservation districts very well.
2. He recognizes the good work that the districts do around the state and intends to do his best to protect the agency's budget.
3. He maintains his pledge to the Commission to have an Administrator position for the Division of Conservation Districts built into his budget, realizing that it will be unlikely to receive support for a new position given the State's current financial restraints.
4. The cuts in the budget will limit some of the fire fighting capabilities by state agencies, in particular the Nevada Division of Forestry.
5. The NDF conservation camp in Silver Springs has been closed due to budget constraints. Other camps throughout the State may have to be closed.
6. As a part of the 14% cut, the Department will have to trim \$2.5-\$3 million from their proposed budgets.

B. Department of Agriculture – Edward K. Foster –

1. Mr. Foster reported that so far this year Mormon cricket populations seem to be in decline and spotty throughout the State. Cicada numbers appear to be increased this year over the past several years.
2. In their sixth year of testing for West Nile virus, there have been no positive cases to date this year on the 200 samples taken. Foreclosures in Las Vegas (due to uncovered swimming pools that are not being maintained) are a real concern though.
3. They continue to gather data on the wild horse populations in the Virginia Range and the overall rangeland health.
4. There will be a 'Water in Nevada' seminar this fall. Contact Ed if you would like additional information on this seminar.
5. Mr. Foster reported that the NV Department of Agriculture was approved \$29 million for a new headquarters building in Reno. The building should be complete by 2010.

C. University of Nevada, Reno – Dr. Rangesan Narayanan –

1. Mark Johnson will begin working as the Executive Vice-President of the University beginning July 1, 2008. He had previously held positions at the Universities of Colorado State and Kansas State as their Dean of Agriculture.
2. The new UNR green house had its grand opening in April 2008. It is a state of the art facility that cost around \$6-\$7 million. He invited the Commission to set a date to tour the facility during one of their future meetings.
3. Non-governmental organizations were invited to attend the Great Basin Environmental Program summit in Reno. About 200 people attended. It was a very productive summit and UNR has been asked by Senator Reid (guest luncheon speaker at the summit) to continue to facilitate these meetings.
4. At least 40 UNR staff members have been given notice that due to the budget cuts, their contracts will not be renewed.
5. The college of agriculture is expecting to have to make about \$2 million in cuts to their budget.
6. The UNR field station tour will be done in September. More information to become available soon.
7. The journal created by the Great Basin Wildfire Forum has been released. Dr. Rangesan brought a box of them with him for our office to distribute.

D. Natural Resources Conservation Service – Ron Davidson–

1. Ron has worked for NRCS for 34 years and has been in Nevada for about 6 weeks and has visited all of the field offices except Elko and Winnemucca, but plans to visit them soon.
2. Richard Vigil, the previous State Conservationist for Nevada, has accepted a position with NRCS within the civil rights division in the Washington, D.C headquarters.
3. He asked for the Commission's assistance in spreading the word about statewide meetings to roll out the new farm bill.
4. Nevada's portion of the 2008 farm bill includes an increase of 30% in funding, much of which can be used for partnered projects this includes some new programs.
5. Environmental Quality Incentives Program (EQIP) now has a component that allows for the expenditure of funds on both federal and private land.
6. He envisions some very good possibilities to partner with conservation districts to maximize and leverage federal and state funding.
7. The Conservation Security Program (CSP) in the new farm bill is driven by State resource concerns and not by individual watersheds as was the previous CSP program.

E. Farm Service Agency – Roger Van Valkenburg – No Report.

F. Nevada Association of Conservation Districts – Patsy Tomera -

Chris Freeman reported for Patsy Tomera who was absent.

1. Mr. Freeman reported that there were 22 students who attended Range Camp this year.
2. He also reminded everyone that this year's NvACD annual meeting will be held in Jackpot, NV on October 21-22, 2008.
3. Similar to the Conservation Districts, this is an election year for NvACD officers. Also, each of the three areas in the State will need to select three members to nominate members, for consideration by the Governor to serve on the Conservation Commission, for commissioners whose terms will expire on June 30, 2009.

VII. OLD BUSINESS

A. Approval of amended FY2008 Conservation District Budgets –

1. There were no amended budgets submitted since the last Commission meeting. No action was taken.

B. Award funding from the AB629 grant program –

1. No new requests. No action taken.

C. Health of the Virginia Range wild horses and the health of their rangeland –

1. Removed under item II.

☀ *At this point, the commission adjourned for lunch at 11:55 am. At 1:10 pm, Chairman Whipple called the meeting back to order.*

VIII. NEW BUSINESS

A. Proposed amendment to Nevada's noxious weed law (NRS 555.130-555.201)

1. Scott explained that currently Nevada law does not allow for fining landowners who have noxious weeds and are making no attempt to control them. It only allows for an abatement to occur. This can be very expensive for even small infestations, time consuming and could be held up by legal challenges due to the nature of having to file a lien on the property owner with the County in which the infestation resides. It would also allow them to enforce the current law and levy a fine on those

that intentionally introduce noxious weeds. The Nevada Department of Agriculture (NDA) intends to seek support of several amendments to the current law that would allow the NDA to fine landowners \$750.00 for a first offense. The Commission agreed with the need for the amendment, but wanted them to consider language that would offer some protection to landowners who may have gotten the infestation due to another landowners lack of due diligence. Vance made a motion that if the NDA would incorporate their concerns into their proposal that they would support the effort to amend the law. Donna seconded the motion and the motion passed. They will review the language at a future Commission meeting.

B. Review compliance of Districts to Open Meeting Law and review of District Meeting Logs - *ACTION*

1. After reviewing the meeting logs, Eric made a motion that all of the districts are in compliance with the open meeting law and with NAC 548.110. Chris seconded the motion and the motion passed.

C. Review of Conservation Districts Budgets for FY 2008. Determination of compliance of Budgets with legal requirements (NAC 548.120(2)) - *ACTION*

1. The commission reviewed and discussed the budgets for each conservation district for FY 2008-2009.

1. Big Meadow – Chris moved to approve their budget. Eric seconded the motion. Motion passed.
2. Carson Valley – Judy moved to approve their budget. Vance seconded the motion. Motion passed. Judy voiced her concern about them not paying dues to NvACD. Eric said he would voice that concern at the districts next meeting.
3. CD of Southern NV – Vance moved to approve their budget. Chris seconded the motion. Motion passed.
4. Clover Valley – Ed moved to approve their budget. Dr. Rangesan seconded the motion. Motion passed.
5. Dayton Valley – Judy moved to approve their budget. Vance seconded the motion. Motion passed.
6. Duck Valley – Chris moved to approve their budget. Judy seconded the motion. Motion passed.
7. Esmeralda County – Judy moved to approve their budget. Chris seconded the motion. Motion passed.
8. Eureka – Vance moved to approve their budget. Judy seconded the motion. Motion passed.
9. Jiggs – Chris moved to approve their budget with clarification on their AB 629 reporting. Eric seconded the motion. Motion passed.
10. Lahontan – Eric made a motion to approve their budget. Vance seconded the motion. Motion passed.
11. Lamoille – Judy moved to approve their budget. Chris seconded the motion. Motion passed.
12. Lander County – Eric made a motion to approve their budget. Vance seconded the motion. Motion passed.
13. Lincoln County – Donna moved to approve their budget. Ed seconded the motion. Motion passed.
14. Mason Valley – Donna moved to approve their budget. Eric seconded the motion. Motion passed.
15. Nevada Tahoe – Vance moved to approve their budget after clarification on the sources of their private funding. Ed seconded the motion. Motion passed.
16. Northeast Elko – Chris made a motion to approve their budget. Judy seconded the motion. Motion passed.

17. Owyhee – Chris moved to approve their budget. Judy seconded the motion. Motion passed.
18. Paradise-Sonoma – Judy moved to approve their budget. Vance seconded the motion. Motion passed.
19. Quinn River – Judy moved to approve their budget. Chris seconded the motion. Motion passed.
20. Ruby Valley – Eric moved to approve their budget. Vance seconded the motion. Motion passed.
21. Smith Valley – Judy moved to approve their budget. Chris seconded the motion. Motion passed.
22. Southern Nye County – Vance made a motion to approve their budget. Chris seconded the motion. Motion passed.
23. Starr Valley – Chris moved to approve their budget. Judy seconded the motion. Motion passed.
24. Stillwater – Vance moved to approve their budget. Eric seconded the motion. Motion passed.
25. Tonopah – Donna made a motion to approve their budget. Ed seconded the motion. Motion passed.
26. Vya – Judy made a motion to approve their budget. Donna seconded the motion. Motion passed.
27. Washoe Storey – Judy moved to approve their budget. Donna seconded the motion. Motion passed.
28. White Pine – Judy moved to approve their budget after clarification is received on including their matching funds and balancing their budget. Chris seconded the motion. Motion passed.

D. Review of Conservation Districts Annual Work plan for FY 2009. Determination of compliance of Annual Workplans with legal requirements (NAC 548.120 (2)) -

ACTION

The annual workplans submitted by each district were reviewed and discussed. Vance made the motion and was seconded by Chris to approve all Conservation District Annual Work plans and to post the top 2 or 3 on the Division's website. Motion passed unanimously.

E. Review of Report log to verify the submission of annual and financial reports for FY 2007 as required by NAC 548.110(7).

The commission reviewed the logs and determined that each of the districts had submitted these reports. No action was taken.

F. Preliminary finding of "Good Standing" status of Conservation Districts (NAC 548.090 (1)) - *ACTION*

1. While the Big Meadow CD did submit all necessary documents, the budget and work plan was submitted after the June 1st due date. After listening to staff read correspondence from the BMCD, the commission determined that the extenuating circumstances (death and sickness of family members, resignation of board members, and absence from the State in May) warranted an extension of time for submission. Chris made a motion to preliminarily find the Big Meadow CD in 'Good Standing'. Donna seconded the motion and the motion passed.
2. The Duck Valley CD also submitted their budget after the June 1st due date. The Commission read correspondence from the DVCD and determined that they also had extenuating circumstances (resignation of secretary, difficulty in getting the position filled, lack of quorums) that warranted an extension of time for submission. Judy made a motion to preliminarily find the Duck Valley CD in 'Good Standing', provided that they continue to correspond with staff, submit the necessary

documents by the September 30th due date and continue to submit their agendas and minutes within 30 working days. Eric seconded the motion and the motion passed.

3. Chris made a motion to find the remaining 26 Conservation Districts to be preliminarily in 'Good Standing'. Donna seconded the motion and the motion passed.

G. Preliminary designation of Conservation Districts eligible for Basic District Operating Grants in FY 2009 (NAC 548.120 (2)) *ACTION*

Chris made a motion and Vance seconded the motion to find all 28 districts preliminarily eligible to receive a grant, assuming they all remain in "good standing."

IX. STAFF ITEMS – Division Staff Comments

A. Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions proposed for action at future meetings.

1. There were none.

X. COMMISSIONER ITEMS

A. Comments, Reports, Items to be included on the next agenda.

1. Term limit issues with district supervisors should be addressed through their local District Attorney's office.

XI. PUBLIC COMMENTS

A. Three-minute time limit per person, limited to items not on the agenda.

There were no public comments.

XII. NEXT COMMISSION MEETING - *ACTION*

A. Set time and place – The next commission meeting will be held July 28, 2008 at 1:00 pm in Carson City and will also be done as a teleconference.

XIII. ADJOURNMENT - *ACTION*

Chairman Whipple adjourned the meeting at 3:15 pm.